<u>S/N 10/822,894</u> PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

 Applicant:
 Kevin H Embree
 Examiner: Candice Carter

 Serial No.:
 10/822,894
 Group Art Unit: 3629

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Customer No.: 49845 Confirmation No.: 3999

Title: METHOD AND SYSTEM TO DETECT OUTLYING BEHAVIOR IN A

NETWORK-BASED MARKETPLACE

PRELIMINARY AMENDMENT

Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

In response to the Final Office Action mailed January 2, 2009 and the advisory action dated March 19, 2009, please amend the application as follows before considering the patent application: